



David Yu

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Practice Areas

Arbitration, Banking, Business/Commercial, Financial Services, Intellectual Property, International, International Arbitration, Real Estate

David Yu specializes in the resolution of complex domestic and international commercial disputes and has been frequently recognized as one of the Asia-Pacific region's leading lawyers. Mr. Yu currently is an arbitrator for the Shanghai International Economic and Trade Arbitration Commission, also known as the Shanghai International Arbitration Center, and for Shanghai Arbitration Commission. Mr. Yu is also a mediator for the Shanghai Commercial Mediation Center.

Mr. Yu has been actively involved in resolving matters involving financial services, mergers and acquisitions, corporate finance, international trade, commercial contracts and other similar issues.

As both a mediator and arbitrator, Mr. Yu is known for his communication skills, fairness and innovative solutions when confronting complex and volatile situations. His extensive experience in a wide range of practice areas has garnered him an excellent reputation as a neutral.

Mr. Yu is a founding partner of Llinks Law Offices and serves as president of the Shanghai Bar Association.

ADR Experience and Qualifications

- Focuses on commercial dispute resolution in the areas of:
 - Mergers and acquisitions
 - Cross-border investments
 - Banking and financial services
 - Investment funds
 - Commercial contracts
 - Corporate governance
 - International trade
 - Real estate
- Attended mediation training courses organized by the Kai Sheng Mediator Academy
- Recognized as a leading lawyer by Chambers & Partners, The Legal 500, International Financial Law Review, Asian Legal Business and other legal publications
- Attended arbitration training courses organized by the Shanghai International Economic and Trade Arbitration Commission (Shanghai International Arbitration Center)
- Board member of Shanghai Arbitration Commission
- Holds a certificate as a qualified independent director
- Frequently gives lectures and shares his knowledge and experience at various seminars

Representative Matters

- **Banking and Financial Services**

- Dispute between an international commercial bank and a foreign invested company in China regarding a loan agreement and security documents (presiding arbitrator of a tripartite arbitration panel)
- Dispute between a sophisticated investor and a Chinese trust company regarding disclosure of information and other trustee's obligations (sole arbitrator)

- **Commercial Contracts**

- Dispute between two Chinese companies regarding scope of transferred technology under a technology transfer agreement (sole arbitrator)
- Dispute between a Chinese contractor and a foreign material supplier regarding delivery time and consequent loss under a purchase agreement and related technical support agreement (presiding arbitrator of a tripartite arbitration panel)

- **Corporate Governance**

- Dispute between a foreign shareholder and a group of domestic and foreign shareholders regarding validity of a board resolution (presiding arbitrator of a tripartite arbitration panel)
- Dispute among a foreign shareholder, a Chinese shareholder and a joint-venture company regarding shareholder's information rights and minority shareholder's protection (presiding arbitrator of a tripartite arbitration panel)

- **Cross-Border Investment**

- Dispute between a Cayman Islands company and a private equity firm regarding a shared subscription agreement (presiding arbitrator of a tripartite arbitration panel)
- Dispute between a European-based multinational company and a group of foreign and Chinese existing shareholders regarding call option under the sales and purchase agreement (presiding arbitrator of a tripartite arbitration panel)

- **International Trade**

- Dispute between a U.S.-based multinational company and a Chinese manufacturer regarding quality of goods under a purchase agreement (presiding arbitrator of a tripartite arbitration panel)
- Dispute between an Australian buyer and a Chinese supplier regarding quality of goods and consequent damage under a purchase agreement (presiding arbitrator of a tripartite arbitration panel)

- **Intellectual Property**

- Dispute between two Chinese companies regarding joint technology development agreement (arbitrator)
- Dispute between a Chinese publishing house and two foreign authors regarding copyright infringement (legal advisor of the defendant)

- **Investment Fund**

- Dispute between an institutional investor and a Chinese-based investment fund regarding limited partner's rights under the partnership agreement (presiding arbitrator of a tripartite arbitration panel)
- Dispute between a group of limited partners and fund manager regarding the scope of investment and fund manager's fiduciary duty (sole mediator)

- **Mergers and Acquisitions**

- Dispute between a Chinese seller and an international buyer regarding pricing and price adjustment under the sales and purchase agreement in connection with a manufacturing company (presiding arbitrator of a tripartite arbitration panel)
- Dispute between a foreign seller and a Chinese-based consortium buyer regarding fulfillment of conditions precedent and related liabilities under the sales and purchase agreement in connection with a manufacturing company (presiding arbitrator of a tripartite arbitration panel)

- **Real Estate**

- Dispute between a Chinese seller and an international institutional buyer regarding purchase of an office building in China (presiding arbitrator of a tripartite arbitration panel)
- Dispute between a multinational company and a Chinese contractor regarding quality of construction (presiding arbitrator of a tripartite arbitration panel)

Honors, Memberships and Professional Activities

- Registered Arbitrator, Shanghai International Economic and Trade Arbitration Commission
- Registered Arbitrator, Shanghai Arbitration Commission
- Registered Mediator, Shanghai Commercial Mediation Center
- President, Shanghai Bar Association, 2015–2019
- Member, Young President’s Organization
- Recognized as a leading lawyer in mergers and acquisitions, real estate and technology, media and telecommunications in the 2018 edition of Chambers Asia-Pacific: Asia-Pacific’s Leading Lawyers for Business
- Listed in “The A-List 2017” (top 100 Chinese and foreign lawyers for China-related practice), China Business Law Journal
- Listed as a “2018 Leading Individual Lawyer” in antitrust and competition, mergers and acquisitions, private equity/venture capital and technology, media and telecommunications, The Legal 500
- Listed as a leading lawyer in mergers and acquisitions and private equity in the 2017 edition of IFLR1000’s financial and corporate law firm rankings
- Recognized as a leading practitioner in the practice areas of construction and real estate, corporate mergers and acquisitions and investment funds in the 2017 edition of Asialaw’s Leading Lawyers
- Recognized as a “National Outstanding Lawyer” by the All China Lawyers Association and a “Shanghai Outstanding Lawyer” by the Shanghai Bar Association

Background and Education

- Founding Partner and Managing Partner, Llinks Law Offices, 1998–present
- M.B.A., China Europe International Business School, 2015
- B.S., International Economic Law, Fudan University, 1995
- Languages: Mandarin (fluent); English (fluent)